

Before The
COPYRIGHT ROYALTY TRIBUNAL
Washington, D.C. 20036

In the Matter of)
)
 . Distribution of Cable)
 Royalty Fees)

RESPONSE OF THE MOTION PICTURE ASSOCIATION
OF AMERICA, INC., ET AL. TO
PARAGRAPH 3 OF THE TRIBUNAL'S
ORDER RELEASED MAY 7, 1980

The Motion Picture Association of America, Inc. (MPAA), its member companies and other companies engaged in the production and/or distribution of programming exhibited by television broadcast stations, 1/ submit the following in response to paragraph 3 of the Tribunal's Order on Cable Distribution Schedule of Proceeding, released May 7, 1980.

MPAA et al. will present one witness, Fritz E. Attaway, Vice President of MPAA, to offer rebuttal testimony with respect to the direct cases of the National Association of Broadcasters and Joint Sports Claimants.

Mr. Attaway's testimony together with the exhibits submitted herewith will establish the following.

1. The NAB fee generated methodology would result in distributions contrary to the legislative intent of the Copyright Act.

1/ The member companies and other program producer/distributor companies are listed in Attachment A.

2. Joint Sports Claimants' position that sports programs have a popularity rating of approximately twice that of movies and series programs is demonstrably erroneous, in view of Nielsen rating data for both types of programs in the same and comparable time periods.

Respectfully submitted,

MOTION PICTURE ASSOCIATION OF
AMERICA, INC.
ITS MEMBER COMPANIES
OTHER PROGRAM PRODUCERS AND
DISTRIBUTORS

By _____
Arthur Scheiner
Its Attorney

Wilner & Scheiner
2021 L Street, N. W.
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May 23, 1980

Member Companies of Motion Picture Association of America, Inc.

Avco Embassy Pictures Corp.
Columbia Pictures Industries, Inc.
Walt Disney Productions
Filmways Pictures, Inc.
Metro-Goldwyn-Mayer Inc.
Paramount Pictures Corporation
Twentieth Century-Fox Film Corporation
United Artists Corporation
Universal Pictures, a Division of Universal City Studios, Inc.
Warner Bros. Inc.

Other Program Producer/Distributor Companies

Celebrity Productions, Inc.
Goodson-Todman Enterprises, Ltd.
G-T Programs, Inc.
Hanna-Barbera Productions
ITC Entertainment, Inc.
Lakeside Television Company
Lassie Television, Inc.
Lone Ranger Television, Inc.
Marvel Comics Group, a Division of Cadence Industries Corporation
MTM Enterprises, Inc.
Panel Productions, Inc.
Price Productions, Inc.
Q-M Productions
T.A.T. Communications Company
Tandem Productions, Inc.
Viacom International

CERTIFICATE OF SERVICE

I, Shirley Roach, a secretary in the law firm of Wilner & Scheiner, hereby certify that copies of the foregoing Notice of the Motion Picture Association of America, Inc., et al. in Response to Paragraph 3 of the Tribunal's Order Released May 7, 1980, have been sent by first-class United States mail, postage prepaid, to the attached list on this 23rd day of May, 1980.

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